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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,575	07/26/2001	Sung-Ho Kang	P56410	5495

7590

09/28/2005

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EXAMINER

PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,575

Applicant(s)

KANG, SUNG-HO

Examiner

Hassan Phillips

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,10-13,16,19,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,10-13,16,19,21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to communication filed July 19, 2005.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 19, 2005 has been entered.

Response to Arguments

3. Applicant's arguments filed June 24, 2005 have been fully considered but they are not persuasive. Applicant argued that:
 - a) Anderson does not disclose, suggest, or mention a DHCP server as a part of the system disclosed;
 - b) Anderson does not disclose or suggest the provision, transfer and use of "unique identification information" comprising at least one of an Ethernet address and a search keyword for a variable IP address of each network unit;
 - c) Anderson does not disclose a "communication unit" for receiving and storing variable IP addresses; and,

- d) Anderson does not disclose or suggest the agent server including a "control unit" connected to the communication unit and to the database or storing means for receiving from the user unique identification information comprising at least one of an Ethernet address and a search keyword for a network unit selected by the user.

Examiner respectfully disagrees.

4. Regarding item a), Examiner has mentioned in previous office actions that Anderson does not expressly disclose a DHCP server. As indicated in the previous actions however, Anderson suggests that a DHCP server is involved where Anderson describes the network unit changing addresses each time it establishes an Internet connection, (col. 9, lines 4-9, col. 12, line 57, through col. 13, line 12). Furthermore, DHCP servers were well known in the art at the time of the present invention as indicated in the background of Applicant's specification (page 2, paragraph 6).

Applicant alleges Examiner does not cite any evidence in support of DHCP servers being well known in the art at the time of the present invention, and that the only reason Examiner is able to make modifications to Anderson is due to the fact that Examiner, unlike one of ordinary skill in the art, has had access to the disclosure of the present application. Examiner has accepted these statements as a challenge to provide evidence of the features considered to be well known in the art at the time of the present invention. Accordingly, Examiner now cites the following references:

- R. Droms, "RFC 2131", March 1997.

- “DHCP (Dynamic Host Control Protocol)”, Lightening you load with DHCP, Network World, September, 2000.
- “What is DHCP?” – A Word Definition From the Webopedia Computer Dictionary, Last updated September, 2003.

Still further, Examiner agrees with Applicant that the ID server of Anderson cannot serve as a DHCP server since it performs according to Applicant’s claimed “agent server”. As previously indicated, it is suggested by Anderson, that the ISP (710) would use the DHCP server instead (see Anderson, col. 9, lines 4-9, col. 12, line 57, through col. 13, line 12, and Fig. 7, also see What is DHCP?).

5. Regarding item b), Anderson teaches the provision, transfer and use of “unique identification information” comprising a URL (col. 9, lines 39-50). Examiner has interpreted the URL to be at least one of an Ethernet address and a search keyword for a variable IP address of each network unit.

6. Regarding item c), as indicated in previous actions, although Anderson does not explicitly teach a “communication unit”, Anderson does teach receiving and storing variable IP addresses, (col. 9, lines 39-50). Thus it is implied in the teachings of Anderson that a communication unit similar to Applicant’s claimed communication unit is being used by Anderson.

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7. Regarding item d), as indicated in previous actions, although Anderson does not explicitly teach a "control unit" connected to the "communication unit" and to the database or storing means, Anderson does teach an agent server (760) and database or storing means for receiving from the user unique identification information comprising at least an Ethernet address and a search keyword for a network unit selected by the user, (col. 9, lines 39-50). Thus it is implied in the teachings of Anderson that a control unit is connected to a communication unit and database or storing means similar to Applicant's claimed invention.

8. Accordingly, the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 4, 5, 7, 10-13, 16, 19, 21, 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (hereinafter Anderson), U.S. Patent 6,567,122, in view of Applicants Admitted Prior Art (AAPA).

11. In considering claims 1, 7, 13, and 19, Anderson teaches a network system and method, comprising: At least one network unit (100) having a variable internet protocol (IP) address and unique identification information, (col. 8, line 47 through col. 10, line 14, and col. 12, line 57, through col. 13, line 29); and an agent server (760), including a communication unit for receiving said unique identification information and said variable IP address from said at least one network unit, for transferring said unique identification information and said variable IP address, and for receiving from a user unique identification information of a network unit selected by the user, a database (1001) connected to the communication unit for receiving and storing said variable IP address and said unique identification information transferred from said communication unit, and a control unit connected to said communication unit and to said database for receiving from the user via said communication unit said unique identification information of said network unit selected by the user, for searching said database for said variable IP address of said at least one network unit on the basis of the unique identification information received from the user, and for enabling the user to gain access to said selected network unit in accordance with results of the searching of said database, (col. 8, line 47 through col. 10, line 14, and col. 12, line 57, through col. 13, line 29); wherein said unique identification information includes at least one of an Ethernet address of said at least one network unit, and a search keyword for said variable IP address of said at least one network unit, (col. 9, lines 39-50).

Although the disclosed system and method taught by Anderson shows substantial features of the claimed invention, it fails to expressly disclose: a dynamic host configuration protocol (DHCP) server.

Nevertheless, Anderson suggests that a DHCP server is involved where Anderson describes the network unit changing addresses each time it establishes an Internet connection, (col. 9, lines 4-9, col. 12, line 57, through col. 13, line 12). Furthermore DHCP servers were well known in the art at the time of the present invention. The Applicant admits this in a discussion of the related art, (page 2, paragraph 6).

Thus, if not implicit in the teachings of Anderson, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Anderson to show a DHCP server responsive to a request from a network unit for assigning the variable IP address to the network unit for a predetermined period of time. This would have allowed an operator of the network unit to utilize the Internet at a lower rate as compared to the higher rate of a fixed IP address, AAPA, page 2, paragraph 6.

12. In considering claims 4, 10, and 16, Anderson teaches said control unit receiving at least one of said Ethernet address of said at least one network unit and said search keyword for said variable IP address of said at least one network unit from the user over said network and via said communication unit, comparing said at least one of said Ethernet address of said at least one network unit and said search keyword for said variable IP address of said at least one network unit with data stored in said database to

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produce a match, and searching for said variable IP address when the match is produced, (col. 9, lines 39-50).

13. In considering claims 5, 11, 12, and 22, Anderson teaches the data stored in the database being updated at regular time intervals. See col. 13, lines 1-12, and col. 14, lines 54-67.

14. In considering claim 21, Anderson teaches the unique identification information comprising at least one of an Ethernet address, and a search keyword corresponding to the network unit selected by the user, (col. 9, lines 39-50).


Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (571) 272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HP/
9/23/05


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER